



**BOARD OF ADJUSTMENT
WEDNESDAY, March 30, 2016
City Hall
Mayor and Council Chambers
225 W. Alameda**

LEGAL ACTION REPORT

Call to Order: 1:30 p.m.

**C10-16-03 VAN CURAN GARAGE ADDITION / RICHARD VAN CURAN /
4655 EAST 15TH STREET, R-1**

The applicant's property is an approximately 6,574 square foot lot zoned R-1 "Residential". The property, located on the northwest corner of Swan Road, an arterial street identified on the Major Streets and Routes (MS&R) Plan map and 15th Street, is developed with a single-family residence. The applicant proposes to construct a new garage, attached to the residence. The Tucson Unified Development Code (UDC) sections applicable to this project include, but are not limited to, Section 4.7.8 and Table 4.8-2 which provides the criteria for residential development in the R-1 zone, Table 6.3-2.A which provides the dimensional standards applicable to all principal and accessory structures, and Section 6.4.5 which provides the street perimeter yard setbacks applicable to the new construction. The applicant is requesting the following variance: **1)** Allow a reduced side street perimeter yard setback to the new garage from 21' to 9'-2", as measured from the back of future curb location along Swan Road, an arterial street identified on the Major Streets and Routes (MS&R) Plan map, all as shown on the submitted plans.

DECISION: VARIANCE GRANTED

**C10-16-04 NEW LIFE CHURCH OF GOD / NEW LIFE CHURCH OF GOD INC / 424,
482, AND 504 WEST NEBRASKA STREET, R-2 AND C-2**

The applicant's property is an approximately 6.88 acre site zoned R-2 "Residential" and C-2 "Commercial". The property, located at the northwest corner of Liberty Avenue and Nebraska Street, is developed with a church. The applicant proposes to expand the site by providing additional parking to the west of the church building. The expansion requires the entire site to comply with current Tucson Unified Development Code (UDC) regulations. Tucson UDC sections applicable to this project include, but are not limited to, Sections 4.7.9 and 4.7.21 and Tables 4.8-2 and 4.8-4 which provide the criteria for development in the R-2 and C-2 zones; and Sections 7.6.4 and 7.6.5 and Table 7.6.4-1 which provide the landscaping and screening standards for the site. The applicant is requesting the following variances: **1)** Allow the existing 36" high screen wall, to remain

as constructed within the street landscape border; **2)** Allow the existing 36" high screen wall, to remain as constructed, with a reduced height from 5' to 36"; and **3)** Allow a reduced street landscape border width from 10' to 2', as measured from the 36" high screen wall to the street lot line along Nebraska Street, all as shown on the submitted plans.

DECISION: VARIANCES 1, 2, AND 3 GRANTED, SUBJECT TO THE FOLLOWING CONDITIONS:

- A.** Obtain the required permits and approvals from Tucson Department of Transportation (TDOT) for a 5' foot wide landscape border in the public right-of-way, in front of the 36" high wall to remain, along Nebraska Street.
- B.** Adjust the new plantings on the landscape plan, maintaining the required 50% understory coverage, so that there are plantings both in front and behind the wall to remain on the east side of Nebraska Street.
- C.** Adjust the *Opuntia ficus-indica* shown on the landscape plan in an undulating pattern that will maintain the required screening and not interfere with the PAAL when it reaches a mature height.
- D.** The irrigation system shall be maintained regularly.
- E.** Landscaping in the public right-of-way shall be maintained by the property owner of the development at no cost to the city.

Meeting Adjourned at 2:24 p.m.